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November 1, 2004

Federal Communications Commission Office of Secretary

#### Via Hand Delivery

Ms. Marlene H. Dortch Secretary **Federal Communications Commission** The Portals 445 12th Street, S.W. Washington, D.C. 20554

> WIRELESS TELECOMMUNICATIONS BUREAU, Re:

**BROADBAND DIVISION** 

Petition for Reconsideration of Dismissal of Application for Modification of ITFS Stations KZB28 (BMPLIF-19950524DL), KHU90 (BMPLIF-19950524DN) and KZB29 (BMPLIF-19950524DM);

WT Dkt. 03-66

Dear Ms. Dortch:

Transmitted herewith, on behalf of the School Board of Miami-Dade County, Florida (FRN 0004998118) and Southern Florida Instructional Television, Inc. (FRN 0008094104), are an original and four (4) copies of their Consent Motion for Extension of Time for filing oppositions in the above-referenced matter.

Please date-stamp the enclosed "S&R" copy of this filing and return it to the courier delivering this package. Should any questions arise with regard to this filing, please contact the undersigned counsel.

Thomas J. Dougherty, Jr.

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# Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

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In the Matter of Application of	)		y
	)		
SCHOOL BOARD OF PALM	)	File No. BMPLIF-19950524DL	
BEACH COUNTY, FLORIDA	)	File No. BMPLIF-19950524DN	
	)	File No. BMPLIF-19950524DM	
For Authorization to Modify Facilities	)		
of ITFS Station KZB-28, KHU-90 and	)		
KZB29	)		

Directed To: The Commission

### <u>CONSENT</u> MOTION FOR EXTENSION OF TIME

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA (the "School Board") and SOUTHERN FLORIDA INSTRUCTIONAL TELEVISION, INC. ("SFITV") (with the School Board and SFITV referred to collectively as the "Miami Educators") hereby request the Commission grant them additional time to oppose the October 22, 2004 Consolidated Petition for Reconsideration ("PFR") filed by Sprint Corporation amd Wireless Broadcasting Systems of West Palm, Inc. (the "Petitioners") of the Commission's dismissal of the above-captioned applicationS pursuant to paragraph 263 of the Report and Order and Further Notice of Proposed Rulemaking, released on July 29, 2004, In the Matter of Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, WT Docket No. 03-66 (the "Rebanding Report and Order"). The Miami Educators desire the postponement of the due date of their oppositions to November 15, 2004. In support of this request, the following is respectfully submitted:

The Miami Educators request additional time in order to better consider the implication of the PFR, which may include discussions with the Petitioners. The Miami Educators have relied upon BellSouth for assistance in such matters and the personnel within BellSouth tasked with offering such assistance have been unavailable due to the press of other business.

Without the grant of this Motion, the Miami Educators' oppositions would be due November 1, 2004. The additional two weeks requested by this Motion is a short amount of time and will allow the Miami Educators the time needed to thoroughly consider and prepare meaningful oppositions to the PFR. Moreover, this extension could not cause any harm to the public as the PFR addresses action taken pursuant to a decision -- the *Rebanding Report and Order* -- which will not even be effective at the time the Miami Educators' oppositions will be due if the requested extension is granted.

Counsel for the Petitioners, Ms. Jennifer Richter, has been advised of the Miami Educators' intention to file this request and has consented to this request.

WHEREFORE, the foregoing premises considered, the School Board of Miami-Dade County, Florida and Southern Florida Instructional Television, Inc. respectfully request the Commission to defer the due date of their oppositions to November 15, 2004.

Respectfully submitted,

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

SOUTHERN FLORIDA INSTRUCTIONAL TELEVISION, INC.

By:

Thomas J. Dougherty, Jr. Gardner, Carton & Douglas

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November 1, 2004

### **CERTIFICATE OF SERVICE**

I, Suzi Natal of Gardner Carton & Douglas LLP hereby certify that I caused a true copy of the foregoing Consent Motion for Extension of Time to be sent to the following person this 1st day of November, 2004, by U.S. First Class Mail, postage pre-paid:

Jennifer Richter, Esq.
Morrison & Foerster, LLP
2000 Pennsylvania Avenue, N.W. Suite 5500
Washington, D.C/ 20006

Suzi Natal